

REMARKS

Claim Amendments

By this Amendment, Applicant has amended independent claims 1, 10, and 18 to each incorporate all of the features recited in allowable claim 24, as indicated on page 33 of the final Office Action and, accordingly, canceled claim 24 without prejudice or disclaimer of its subject matter. Upon entry of this Amendment, claims 1, 3-10, 13, 18, 20-23, and 25-28 are pending. No new matter has been added.

Final Office Action

The final Office Action (1) rejected claims 1, 9, and 23 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2003/0080755 ("Kobayashi"); (2) rejected claims 1, 10, and 23 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,097,195 ("Ackland"); (3) rejected claims 1, 3, 4, 9, 18, and 23 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2005/0030724 ("Ryhanen"); (4) rejected claims 1, 3-5, 8, 10, 13, 20-23, 26, and 27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,145,384 ("Ikeda") in view of Ryhanen; (5) rejected claims 1, 3-5, 8, 10, 13, 20-23, and 25-27¹ under 35 U.S.C. § 103(a) as being unpatentable over Ikeda in view of Ackland; (6) rejected claims 1, 6, 7, 20-22, and 28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2003/0072127 ("Zias"); (7) rejected claims 1, 6, 7, 20-22, and 28 under 35 U.S.C. § 103(a) as being unpatentable over Zias in view of Ryhanen; (8) rejected claims 20-22 under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi in view of Ackland and further in view of Ryhanen; and (9)

¹ Claim 25 is also rejected on p. 23 of the final Office Action.

objected to claim 24 as being dependent from a rejected base claim, but indicated that it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowable Subject Matter

Applicant acknowledges with appreciation the Examiner's indication that claim 24 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. See final Office Action, p. 33. In response, Applicant has amended independent claims 1, 10, and 18 to each incorporate all of the features recited in allowable claim 24, thereby rendering claims 1, 10, and 18 allowable.

Objection to Claim 24

The objection to claim 24 is moot by virtue of its cancellation.

Rejections under 35 U.S.C. §§ 102(b), 102(e), and 103(a)

Applicant respectfully traverses the rejections of claims 1, 3-10, 13, 18, 20-23, and 25-28 under 35 U.S.C. §§ 102(b), 102(e), or 103(a) over the cited references. Because independent claims 1, 10, and 18 have been amended to include the allowable subject matter of claim 24, now canceled, independent claims 1, 10, and 18 are allowable over the cited references for at least the same reasons for which claim 24 is allowable. See page 33 of the final Office Action. Dependent claims 3-9, 13, and 20-23, and 25-28 are allowable at least by virtue of their dependence from base claims 1, 10, and 18. Applicant therefore respectfully requests withdrawal of the rejections of the claims under 35 U.S.C. §§ 102(b), 102(e), and 103(a).

Conclusion

In view of the foregoing remarks, Applicant submits that the subject matter of claims 1, 3-10, 13, 18, 20-23, and 25-28 is not anticipated or rendered obvious by the cited references, and is allowable. Applicant therefore requests entry of this Amendment under 37 C.F.R. § 1.116, placing claims 1, 3-10, 13, 18, 20-23, and 25-28 in condition for allowance. Applicant submits that the proposed amendments to claims 1, 10, and 18 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Applicant submits that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

The final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the final Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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